



9/2/91

Bridget Griffin
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1. (Three Times Amended) An apparatus for displaying local time information, comprising:

means for storing Greenwich mean time (GMT) information for each of a plurality of cities;

means for acquiring a reference time from a signal received from a remote system;

means for counting a duration of time that elapses from when said reference time is acquired;

means for selecting at least one of said plurality of cities and automatically calculating a local time of said selected city, said local time being based on a difference between the GMT of said selected city and the GMT of a present location of said apparatus, said reference time and said elapsed time; and

means for outputting said local time.

1. (Four Times Amended) An apparatus for displaying local time information, comprising:

means for storing Greenwich mean time (GMT) information for each of a plurality of cities;

means for receiving a reference time from a signal received from a remote system;

means for counting a duration of time that elapses from when said reference time is acquired;

means for selecting at least one of said plurality of cities and automatically calculating a local time of said selected city, said local time being based on a difference between the GMT of said selected city and the GMT of a present location of said apparatus, said reference time and said elapsed time; and

means for outputting said local time.

6. (Three Times Amended) In an apparatus having a display and a memory for storing Greenwich mean time (GMT) information for each of a plurality of cities, a method for generating local time information, comprising the steps of:

- acquiring a reference time from a signal received from a remote system;
- counting a time which elapses from said acquiring of said reference time;
- selecting at least one of said plurality of cities;
- automatically calculating a local time of said selected city based on the difference between the GMT of said selected city and the GMT of a present location of said apparatus, said reference time and said elapsed time; and
- displaying said calculated local time.

6. (Four Times Amended) In an apparatus having a display and a memory for storing Greenwich mean time (GMT) information for each of a plurality of cities, a method for generating local time information, comprising the steps of:

- receiving a reference time from a signal received from a remote system;
- counting a time which elapses from said acquiring of said reference time;
- selecting at least one of said plurality of cities;
- automatically calculating a local time of said selected city based on the difference between the GMT of said selected city and the GMT of a present location of said apparatus, said reference time and said elapsed time; and
- displaying said calculated local time.

As the Board can see, this is the only change made to the claims, and as the change relates to form, it should have been entered. The amendment, as it relates to form, should be entered as proper under 37 C.F.R. 1.116. Regardless as to the informalities of using one synonym for another, Appellant's position does not stand or fall based on the informality.

Applicant respectfully disagrees with the Examiner's statement that Applicant's brief did not satisfy 37 C.F.R. 1.192(c)(7). Applicant respectfully directs the Board to page 3, section entitled "GROUPING OF CLAIMS" in Applicant's brief, wherein it states "Claims 1 and 6 are in independent form. For the purposes of this appeal, Claims 2, 5, 6-8, 11 and 12 stand or fall together with Claim 1. Claim 1 is an apparatus claim, and Claim 6 is a method claim."

The Examiner continues to misunderstand the Klausner et al. reference. The Examiner states on page 8 of her Answer that Klausner et al. teaches that *radiowave frequencies* are detected (emphasis added), and this renders obvious the acquiring of a reference time. These radiowave frequencies include AM, FM, VHF, and UHF as disclosed in Klausner et al., col. 2, line 33. The pending claims recite acquiring (or receiving) a *reference time*. "Radiowave frequencies" is not "a reference time". Frequencies are measured in Hertz. Time is measured in seconds. Furthermore Klausner et al. clearly states that local time is stored in a memory of the Klausner et al. device and not acquired from a remote system. See Klausner et al., col. 1, lines 50-55.

The Examiner states in her Answer that the detected radiowave frequencies are used to determine a reference time, an admission that Klausner et al. does not *acquire* a reference time from a remote system. Klausner et al. reads local time from its memory based on received AM, FM, VHF, or UHF radiowave frequencies.

Applicant respectfully disagrees with the Examiner's assertion that Applicant's Brief contains contradictions. It was clearly stated in Applicant's brief that the receipt of frequencies is not recited in the pending claims. Applicant again reiterates that the pending claims do not recite receiving (or acquiring) frequencies; the pending claims recite receiving (or acquiring) a reference time. It is all too clear that the Examiner does not appreciate the differences between the cited reference and the claims of the pending application.

The Examiner continues to cite art that fails to show all of the elements of the pending claims. First, neither Klausner et al. nor Whitmore teaches or discloses "counting a duration of

time that elapses from when said reference time is acquired” as recited in the pending claims. Each of the references cited by the Examiner are silent as to counting a duration of time that elapses from when said reference time is acquired. Why would they? There is no reason to measure the time from when the Klausner et al. device acquires a *radiowave frequency*, as it does not base any calculations on any time elapsed from receiving its radiowave frequencies. It would serve no purpose; thus Klausner et al. must be silent on this element. In col. 4, lines 51-55, of Klausner et al., cited by the Examiner in her Answer, no counting of any duration is mentioned. As it has never been alleged by the Examiner that Whitmore teaches acquiring a reference time from a remote system, it is unsupportable that the Examiner can state that Whitmore counts a duration of time that elapses from a reference time received from a remote system.

Finally, the Examiner continues her unsupported position that the cited references disclose using the GMT of a selected city, the GMT of a present location of the apparatus, the reference time, and the elapsed time to calculate a local time of a selected city as recited in the pending claims. Col. 8, lines 29-45 of Whitmore, cited by the Examiner in her Answer, discloses a database which comprises a conversion table between GMT and the current local time. This is not the GMT of a selected city, the GMT of a present location of the apparatus, the reference time, and the elapsed time to calculate a local time of a selected city as recited in the pending claims. The Examiner also cited Klausner et al., col. 4, lines 51-55 as disclosing these elements, but Klausner et al. never even mentions Greenwich Mean Time or GMT, and as stated previously, does not teach an elapsed time or a reference time as recited in the pending claims.

In order for a rejection under 35 U.S.C. §103(a) to be appropriate, the claimed invention must be shown to be obvious in view of the prior art as a whole. A claim may be found to be obvious if it is first shown that all of the recitations of a claim are taught in the prior art or are suggested by the prior art. In re Royka, 490 F.2d 981, 985, 180 U.S.P.Q. 580, 583 (C.C.P.A. 1974), cited in M.P.E.P. §2143.03.


The Examiner has failed to show that all of the recitations of Claim 1 are taught in or suggested by the prior art. The Examiner has failed to make out a prima facie case for an

obviousness rejection.

As noted, Claims 2, 5, 6-8, 11 and 12 stand or fall together with independent Claim 1 and are thus also allowable.

Independent Claims 1 and 6 are not rendered unpatentable by Whitmore in view of Klausner. Thus Claims 1, 2, 5-8, 11 and 12 are allowable.

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